

HOUSE OF REPRESENTATIVES STAFF ANALYSIS

BILL #: HB 1557 Sexual Exploitation and Human Trafficking

SPONSOR(S): Salzman

TIED BILLS: **IDEN./SIM. BILLS:** SB 1690

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR or BUDGET/POLICY CHIEF
1) Children, Families & Seniors Subcommittee		Brazzell	Brazzell
2) Health Care Appropriations Subcommittee			
3) Health & Human Services Committee			

SUMMARY ANALYSIS

Human trafficking is a form of modern-day slavery affecting young children, teenagers, and adults, who are subjected to force, fraud, or coercion for sexual exploitation or forced labor.

When children cannot safely remain at home with parents, Florida's child welfare system finds safe out-of-home placements for children. DCF licenses residential group care placements as residential child-caring agencies that provide staffed 24-hour care for children in facilities maintained for that purpose. Some such licensed placements are certified as safe houses for commercially sexually exploited children; DCF also certifies safe foster homes. Safe houses and safe foster homes must provide a safe, separate, and therapeutic environment tailored to the needs of commercially sexually exploited children.

Presently, 13 adult safe houses serve adult survivors of human trafficking in Florida. DCF does not regulate or monitor any of the adult safe houses and statute provides no framework for any agency to do so.

Section 787.29, F.S., requires the display of human trafficking public awareness signs in specific locations, including certain massage parlors, and strip clubs and other adult entertainment establishments.

HB 1557 requires safe houses and foster homes to include an individual on staff with specified training to take on security roles. The bill also requires DCF to:

- Develop, and require the posting of, human trafficking public awareness signs in certain residential facilities serving dependent children.
- Develop age-appropriate human trafficking awareness education, and for certain residential facilities to annually provide it to their residents.
- Certify adult safe houses.

The bill has a significant negative impact on state government and no fiscal impact on local government.

The bill provides an effective date of July 1, 2023.

FULL ANALYSIS

I. SUBSTANTIVE ANALYSIS

A. EFFECT OF PROPOSED CHANGES:

Department of Children and Families

The mission of the Department of Children and Families (DCF) is to work in partnership with local communities to protect the vulnerable, promote strong and economically self-sufficient families, and advance personal and family recovery and resiliency.¹

Under s. 20.19(4), F.S., DCF must provide services relating to:

- Adult protection.
- Child care regulation.
- Child welfare.
- Domestic violence.
- Economic self-sufficiency.
- Homelessness.
- Mental health.
- Refugees.
- Substance abuse.

DCF must also deliver services by contract through private providers to the extent allowed by law and funding.² These private providers include community based care lead agencies (CBCs) delivering child welfare services and managing entities (MEs) delivering behavioral health services.

Florida's Child Welfare System

Chapter 39, F.S., creates the dependency system charged with protecting child welfare. Florida's dependency system identifies children and families in need of services through reports to the central abuse hotline and child protective investigations. DCF and the 18 CBCs throughout Florida³ work with those families to address the problems endangering children, if possible. If the problems are not addressed, the child welfare system finds safe out-of-home placements for these children.

DCF's practice model is based on the safety of the child within the home by using in-home services, such as parenting coaching and counseling, to maintain and strengthen that child's natural supports in his or her environment.

DCF contracts with CBCs for case management, out-of-home services, and related services. The outsourced provision of child welfare services is intended to increase local community ownership of service delivery and design. CBCs contract with a number of subcontractors for case management and direct care services to children and their families.

DCF remains responsible for a number of child welfare functions, including operating the central abuse hotline, performing child protective investigations, and providing children's legal services.⁴ Ultimately, DCF is responsible for program oversight and the overall performance of the child welfare system.⁵

Human Trafficking

¹ S. 20.19(1), F.S.

² *Id.*

³ These 18 CBCs together serve the state's 20 judicial circuits.

⁴ Ch. 39, F.S.

⁵ *Id.*

Human trafficking is a form of modern-day slavery affecting young children, teenagers, and adults, who are subjected to force, fraud, or coercion for sexual exploitation or forced labor.⁶ In 2004, the Florida Legislature criminalized human trafficking and unlawfully obtaining labor or services.⁷ Florida statute defines “human trafficking” as the “transporting, soliciting, recruiting, harboring, providing, enticing, maintaining, purchasing, patronizing, procuring, or obtaining of another person for the purpose of exploitation of that person.”⁸ Under current law, any person who knowingly engages in human trafficking commits a first-degree or life felony, depending on the nature of the offense.⁹ Human trafficking is typically classified as either forced labor or commercial sexual exploitation.

Forced Labor

Forced labor occurs when an individual knowingly provides or obtains the labor or services of a person by means of:

- Force, threats of force, physical restraint, or threats of physical restraint to that person or another person;
- Serious harm or threats of serious harm to that person or another person;
- Abuse or threatened abuse of law or legal process; or
- Any scheme, plan, or pattern intended to cause the person to believe that, if that person did not perform such labor or services, that person or another person would suffer serious harm or physical restraint.¹⁰

Forced labor can exist in domestic servitude, restaurant work, janitorial work, sweatshop factory work, and migrant agricultural work.¹¹

Commercial Sexual Exploitation

Commercial sexual exploitation is a form of human trafficking where the trafficker involves the victim in commercial sex acts such as prostitution and pornography as a means for the perpetrator to make money.¹² Both adults and children can be victims of these acts.¹³ The U.S. Department of Justice estimates that as many as 300,000 children in the United States are at risk for commercial sexual exploitation.¹⁴

In cases of commercial sex trafficking of minors, traffickers or pimps often operate as the primary domestic sex traffickers and target particularly vulnerable youth, such as runaway and homeless youth.¹⁵ Pimps may engage in a “grooming” process where a child is showered with gifts, treats, and compliments in order to earn his or her trust though they can also use violence and intimidation.¹⁶ Often the children have low self-esteem and may live in high-crime environments or in poverty, or have past childhood trauma which may include sexual or physical abuse.¹⁷ Traffickers may take on a role of protector to maintain control of the child, create confusion, and develop a connection or attachment, which may include the child feeling a sense of loyalty to or love for the trafficker. This connection, or traumatic bond, becomes especially intense when fear of the trafficker is paired with gratitude for any

⁶ *Id.*

⁷ S. 787.06, F.S.

⁸ *Id.*

⁹ *Id.*

¹⁰ 18 U.S.C. s. 1589.

¹¹ S. 787.06, F.S.

¹² The federal Trafficking Victims Protection Act defines “commercial sex act” as any sex act on account of which anything of value is given to or received by any person. 22 U.S.C. s. 7102(4).

¹³ S. 787.06, F.S.

¹⁴ U.S. Department of Justice, Office of Justice Programs, *OJP Fact Sheet, Fast Facts*, (Dec. 2011),

http://ojp.gov/newsroom/factsheets/ojps_humantrafficking.html (last visited March 16, 2023).

¹⁵ U.S. Department of Justice, Office of Juvenile Justice and Delinquency Prevention, *Commercial Sexual Exploitation of Children and Sex Trafficking*, available at https://ojjdp.ojp.gov/model-programs-guide/literature-reviews/commercial_sexual_exploitation_of_children_and_sex_trafficking.pdf (last visited March 16, 2023).

¹⁶ *Id.*

¹⁷ *Id.*

kindness shown. Psychologists and clinicians call this phenomenon “trauma bonding.”¹⁸ Although definitions vary, the most common meaning of trauma bonding is when a trafficker uses rewards and punishments within cycles of abuse to foster a powerful emotional connection with the victim.¹⁹ While this is a common way that commercial sexual exploitation occurs, some children are commercially sexually exploited by family members or organized networks.²⁰

Child Sexual Exploitation in Florida

It is difficult to obtain an accurate count of commercial sexual exploitation (CSE) victims who are children because these victims are not readily identifiable.²¹ CSE victims do not have immediately recognizable characteristics, many do not have identification, and they are often physically or psychologically controlled by adult traffickers; as such, they rarely disclose or provide information on exploitation.²²

Section 39.01(77)(g), F.S., provides the definition for sexual abuse of a child, which includes sexual exploitation of a child, defined as the act of a child offering to engage in or engaging in prostitution, or the act of allowing, encouraging, or forcing a child to solicit for or engage in prostitution; engage in a sexual performance, as defined by chapter 827; or participate in the trade of human trafficking as provided in s. 787.06(3)(g), F.S. For calendar year 2021, DCF verified 377 child victims of commercial sexual exploitation from 3,182 reports alleging commercial sexual exploitation made to the hotline.²³ Of the reports that were referred for investigation, most came from the Department of Juvenile Justice (DJJ), the Department of Corrections, or criminal justice personnel and law enforcement.²⁴ Of the 377 verified commercially sexually exploited children, 25% were in out-of-home care, including the care of relatives or in foster homes, residential group care, or residential treatment centers.²⁵

Connection between Children’s Placement in Foster Care and Human Trafficking

A substantial minority of children in foster care abscond from their placement at least once. A study using data on children in Florida’s child welfare system from 2011-2017 indicated that 19% of children ran away at least once. A study of several midwestern states reported that nearly half of youth who had been in foster care reported running away. Another study of girls in foster care (with a small sample size of 44) found that 44% cited running away as their pathway to commercial sexual exploitation, compared to other reasons such as recruitment by another child in foster care (26%), and recruited by noncustodial parent (19%).²⁶

In a brief from the U.S. Department of Health and Human Services’ Office of Planning, Research, and Evaluation:

Several factors may increase vulnerability to trafficking victimization among youth who run from foster care. Many researchers have theorized

¹⁸ U.S. Department of State, Office to Monitor and Combat Trafficking in Persons, *Trauma Bonding in Human Trafficking*, June 2020, https://www.state.gov/wp-content/uploads/2020/10/TIP_Factsheet-Trauma-Bonding-in-Human-Trafficking-508.pdf (accessed March 16, 2023).

¹⁹ *Id.*

²⁰ Polaris, *Child Sex Trafficking*, <https://polarisproject.org/child-sex-trafficking/> (accessed March 16, 2023).

²¹ The Florida Legislature Office of Program Policy Analysis & Government Accountability, *Placement Challenges Persist for Child Victims of Commercial Sexual Exploitation; Questions Regarding Effective Interventions and Outcomes Remain*, (Jul. 2016), available at <https://oppaga.fl.gov/Products/ReportDetail?rn=16-04> (last visited March 16, 2023).

²² *Supra* note 15.

²³ OPPAGA, *Annual Report on the Commercial Sexual Exploitation of Children in Florida*, 2022, Report 22-05, July 2022, pp. i and 2.

²⁴ *Id.*

²⁵ *Id.*, p. 4.

²⁶ Latzman, N. E., & Gibbs, D. (2020). *Examining the link: Foster care runaway episodes and human trafficking*. OPRE Report No. 2020-143. Washington, DC: Office of Planning, Research, and Evaluation, Administration for Children and Families, U.S. Department of Health and Human Services. https://www.acf.hhs.gov/sites/default/files/documents/opre/foster_care_runaway_human_trafficking_october_2020_508.pdf (accessed March 19, 2023).

that youth absent from foster care are even more vulnerable to human trafficking than other runaways because they may not only lack resources for basic needs but may also have fewer social resources or family relationships to which they can turn. . . .Anecdotal reports from service providers indicate that pimps and others who facilitate trafficking of youth specifically target youth in foster care by offering housing, money, drugs, and alcohol. However, this link has not yet been established in data from law enforcement or child welfare agencies.”²⁷

Residential Care for Children

When children cannot safely remain at home with parents, Florida’s child welfare system finds safe out-of-home placements for children. As of January 31, 2023, there were 20,900 children in out-of-home care.²⁸ Out-of-home placement options must be considered in the following order:

- Nonoffending parent.
- Relative caregiver.
- Adoptive parent of the child’s sibling, when the department or community-based care lead agency is aware of such sibling.
- Fictive kin with a close existing relationship to the child.
- Nonrelative caregiver that does not have an existing relationship with the child.
- Licensed foster care.
- Group or congregate care.²⁹

Residential Care Licensed by DCF

DCF licenses residential group care placements as residential child-caring agencies³⁰ that provide staffed 24-hour care for children in facilities maintained for that purpose.³¹ These include, but are not limited to, maternity homes, runaway shelters, group homes, emergency shelters,³² and at-risk houses. As of January 2023, 1,797 children were in a residential group care placement, as depicted below (the blue shading indicates the total number of children in licensed care, which includes licensed foster homes).³³

²⁷ *Id.*

²⁸ Department of Children and Families, Office of Child and Family Well-Being Dashboard, *Children in Out-of-Home Care Monthly Trend* <https://www2.myflfamilies.com/service-programs/child-welfare/dashboard/index2.shtml> (accessed March 16, 2023).

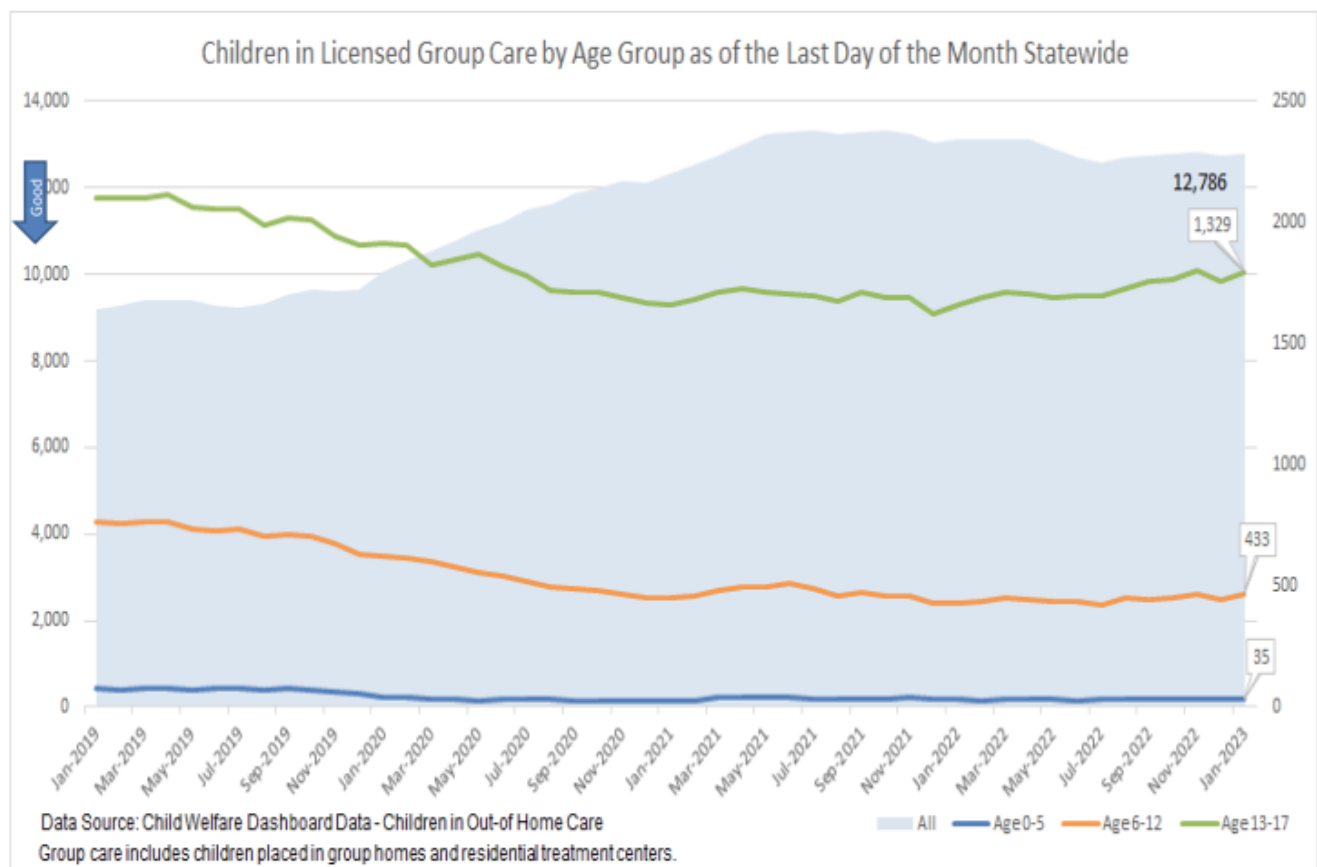
²⁹ S. 39.4021(2), F.S.

³⁰ S. 409.175, F.S.

³¹ *Id.*

³² *Id.*

³³ Department of Children and Families, *Child Welfare Key Indicators Monthly Report, Feb. 2023*, p. 50 https://www2.myflfamilies.com/service-programs/child-welfare/kids/results-oriented-accountability/performanceManagement/docs/KI_Monthly_Report_Jan2023.pdf (accessed March 16, 2023).



At-Risk Houses

At-Risk Houses are group care homes that are certified to serve children considered to be at-risk for sex trafficking. Children are deemed to be “at risk of sex trafficking” if they have experienced trauma, such as abuse, neglect, and/or maltreatment, and present one or more of the accompanying risk factors: history of running away and/or homelessness; history of sexual abuse and/or sexually acting out behavior; inappropriate interpersonal and/or social media boundaries; family history of or exposure to human trafficking; or, out-of-home placement instability demonstrated by repeated moves from less restrictive levels of care. There are currently 157 At-Risk Houses licensed by DCF to provide services to youth who are at risk of sex trafficking.³⁴

Safe Homes and Houses for Children

Section 409.1678, F.S., authorizes DCF to certify safe foster homes and safe houses for children; these homes must be certified by the department to have those titles.³⁵ Safe houses and safe foster homes must provide a safe, separate, and therapeutic environment tailored to the needs of commercially sexually exploited children who have endured significant trauma and are not eligible for relief and benefits under the federal Trafficking Victims Protection Act, 22 U.S.C. ss. 7101 et seq.³⁶

To be certified, a safe house must hold a license as a residential child-caring agency and a safe foster home must hold a license as a family foster home. They must also:

- Use strength-based and trauma-informed approaches to care, to the extent possible and appropriate.
- Serve exclusively one sex.
- Group child victims of commercial sexual exploitation by age or maturity level.

³⁴ Department of Children and Families, Agency Analysis of HB 1557, p. 3 (3/14/23).

³⁵ S. 409.1678(2)(b), F.S.

³⁶ S. 409.1678(2)(a), F.S.

- Care for child victims of commercial sexual exploitation in a manner that separates those children from children with other needs. Safe houses and safe foster homes may care for other populations if the children who have not experienced commercial sexual exploitation do not interact with children who have experienced commercial sexual exploitation.
- Have awake staff members on duty 24 hours a day, if a safe house.
- Provide appropriate security through facility design, hardware, technology, staffing, and siting, including, but not limited to, external video monitoring or door exit alarms, a high staff-to-client ratio, or being situated in a remote location that is isolated from major transportation centers and common trafficking areas.
- Meet other criteria established by department rule, which may include, but are not limited to, personnel qualifications, staffing ratios, and types of services offered.³⁷

Information about safe houses, safe foster homes, or other residential facilities serving child victims of commercial sexual exploitation is protected through a public records exemption.³⁸

As of May 2022, there were 6 safe houses and 21 safe foster homes in Florida with the capacity to place 63 children.³⁹

Placement of Verified Child Victims of Commercial Sexual Exploitation

Not all children who are verified victims of commercial sexual exploitation are placed in a safe house or safe foster home. This happens for a variety of reasons, such as:

- It was not a recommended level of care for the child, as the child needed to be placed in a substance abuse treatment program or mental health facility.
- The child was placed in a DJJ commitment program.
- The child is on runaway status.
- The child is referred to specialized non-residential services.⁴⁰

Sometimes children are not placed in a safe house despite there being available beds. According to DCF:

Although the number of identified child survivor of human trafficking is higher than the number of beds available in safe houses, these beds may not always be filled because decisions to place each child are based on the existing make-up of current safe house residents and the individual's specific needs. The complexity of the residents' needs may limit the number of youth a safe home accepts at any given time. Occasionally, there is a decision to not introduce too many new youth into a home over a short period of time to ensure adequate assimilation of new youth into the program and consistent and stable staff engagement with the existing youth . . . Limitations on placement can include factors such as gang affiliation and commonality of exploiter—meaning these types of factors must be considered in determining placement and the current population of the safe house or CSEC program. Youth who have a shared gang affiliation or a conflicting gang affiliation, or youth who have shared exploiters, often cannot be placed together due to the degree of conflict it may cause in the home. Safe homes frequently refuse youth who engage in recruitment activity, who display a significant history of violence, or who have complex unmet needs such as active drug use or non-compliance with mental health treatment.⁴¹

This means that children who are victims of commercial sexual exploitation may be placed in a variety of settings. In FY 2021-22, 505 children were evaluated for placement in a safe

³⁷ S. 409.1678(2)(c), F.S.

³⁸ S. 409.1678(6)(b), F.S.

³⁹ OPPAGA, *supra* note 23, at 7.

⁴⁰ Department of Children and Families, *Human Trafficking of Children Annual Report*, Oct. 1, 2022 (https://www.myflfamilies.com/sites/default/files/2023-02/Human_Trafficking_Report_2021-22.pdf), p. 12.

⁴¹ *Id.*, pp. 6, 13.

house or safe foster home; of these children, 51 (12%) were placed in a safe house or safe foster home.⁴²

Residential Treatment Centers

Residential Treatment Centers (RTCs) are licensed by the Agency for Health Care Administration (AHCA) though the centers must also follow rules adopted by DCF. RTC's also include hospitals licensed under ch. 395, F.S., that provide residential mental health treatment. RTC's serve all children, whether they are found dependent or are not in the child welfare system.

Safe Houses for Adult Survivors of Human Trafficking

Presently, 13 adult safe houses serve adult survivors of human trafficking. Of these, two allow for the survivor's minor children to also reside in the home. DCF does not regulate or monitor any of the 13 adult safe houses⁴³ and statute provides no framework for any agency to do so.

While there is no certification or licensure for homes serving adult victims, s. 787.06(10), F.S., makes confidential and exempt information about the location of a residential facility offering services for adult victims of human trafficking involving commercial sexual activity; however, the information may be disclosed as provided in the exemption.

Residential Care for Individuals with Developmental Disabilities

Agency for Persons with Disabilities

The Agency for Persons with Disabilities (APD) provides services to persons with developmental disabilities. A developmental disability is defined as a disorder or syndrome that is attributable to intellectual disability, cerebral palsy, autism, spina bifida, Down syndrome, Phelan-McDermid syndrome, or Prader-Willi syndrome; that manifests before the age of 18; and that constitutes a substantial handicap that can reasonably be expected to continue indefinitely.⁴⁴

The HCBS waiver, known as iBudget Florida, offers 27 supports and services delivered by contracted service providers to assist individuals to live in their community. Examples of waiver services are residential habilitation, behavioral services, companion, adult day training, employment services, and physical therapy.⁴⁵

While the majority of individuals served by APD live in the community, a small number live and receive services in Intermediate Care Facilities for the Developmentally Disabled (ICF/DD). ICF/DD's are defined in s. 393.063(22), F.S., as residential facilities licensed and certified by the Agency for Health Care Administration (AHCA) pursuant to part VIII of ch. 400. ICF/DD's are considered institutional placements.

Residential Care in the Community for Individuals with Developmental Disabilities

Persons with developmental disabilities live in various types of community residential settings. Some individuals with developmental disabilities live with family, some live in their own homes, while others may live in community-based residential facilities.⁴⁶ Pursuant to s. 393.067, F.S., APD is charged with licensing community-based residential facilities that serve and assist individuals with developmental

⁴² *Id.*, p. 12.

⁴³ DCF, *Supra* note 34, at 2.

⁴⁴ S. 393.063(12), F.S.

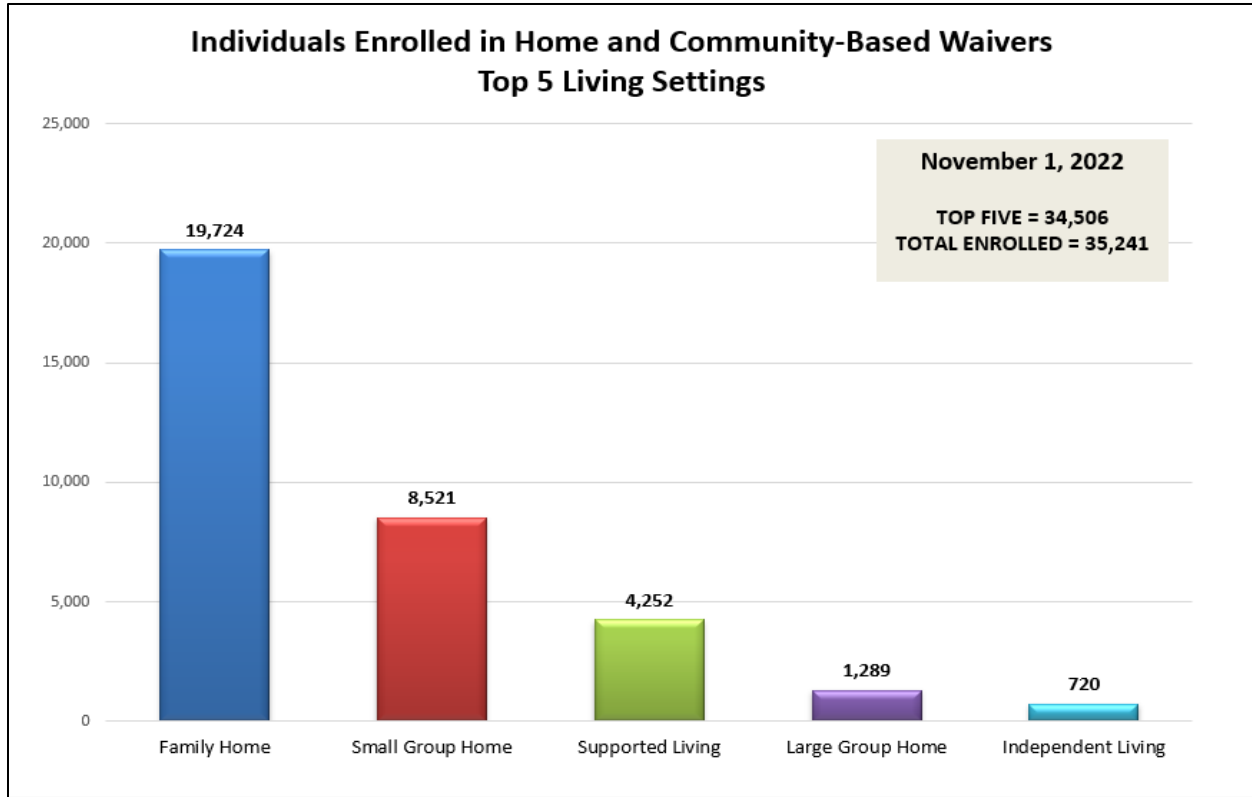
⁴⁵ Agency for Persons with Disabilities, Quarterly Report on Agency Services to Floridians with Developmental Disabilities and Their Costs: First Quarter Fiscal Year 2022-23, November 2023.

<https://apd.myflorida.com/publications/reports/docs/FY%202023%20Quarterly%20Report%201st%20Quarter%20report.pdf>

⁴⁶ S. 393.063(32), F.S., defines residential facility as a facility providing room and board and personal care for persons who have developmental disabilities.

disabilities; these include foster care facilities, group home facilities, residential habilitation centers, and comprehensive transitional education programs⁴⁷.

The chart below depicts the top 5 living settings for individuals enrolled in the HCBS waiver as of November 1, 2022.⁴⁸ Note that the vast majority of individuals living in APD-licensed facilities are adults, not children.



Effect of Proposed Changes

Education Regarding Human Trafficking in Developmental Disabilities Facilities

The bill directs DCF to develop age-appropriate programming to educate children regarding the signs and dangers of human trafficking and how to report human trafficking. Homes serving teenagers with developmental disabilities, at least annually, must use this educational programming.

Safe Homes and Houses for Children

The bill requires safe houses to include at least one individual on staff that has law enforcement, investigative, or other similar training, as established by DCF rule, for the detection of possible trafficking activity around a facility, to be an emergency responder to look for absent or missing children, and for coordination with law enforcement.

Safe houses and homes must use DCF's age-appropriate programming regarding the signs and dangers of human trafficking.

Safe Houses for Adults

The bill requires DCF to establish a process to certify adult safe houses that provide housing and care to adult survivors of human trafficking. The adult safe houses certified under this section must:

⁴⁷ There is no facility currently licensed as a comprehensive transitional education program.

⁴⁸ Agency for Persons with Disabilities, *Agency Overview*, Presentation to the House of Representatives Children, Families & Seniors Subcommittee, Jan. 17, 2023.

- Provide a facility which will serve as an adult safe house to receive and house persons who are victims of human trafficking. Under this section, minor children and other dependents of a victim may be sheltered with the victim in an adult safe house, when such dependents are partly or wholly dependent on the victim for support or services.
- Receive the annual written endorsement of local law enforcement agencies.
- Provide minimum services that include the following:
 - Information and referral services,
 - Licensed counseling and case management services,
 - Substance abuse screening,
 - Access or referral to treatment,
 - Temporary emergency shelter for more than 24 hours,
 - A 24-hour hotline,
 - Nonresidential outreach services,
 - Training for law enforcement personnel,
 - Assessment and appropriate referral of resident children,
 - Educational services for community awareness relative to the incidence of human trafficking, the prevention of such crimes, and the services available for persons subject to human trafficking.⁴⁹
- Participate in the provision of orientation and training programs developed for law enforcement officers, social workers, and other professionals and paraprofessionals who work with human trafficking victims to better enable such persons to deal effectively with incidents of human trafficking.
- Provide a safe, therapeutic environment tailored to the needs of commercially sexually exploited or trafficked adults who have endured significant trauma. Adult safe houses shall use a model of treatment that includes strength-based and trauma informed approaches.
- File with the Department a list of the names of the human trafficking advocates who are employed or who volunteer at the adult safe house who may claim a privilege under s. 90.5037, F.S., that refuses to disclose a confidential communication between a victim of human trafficking and the advocate regarding the human trafficking inflicted upon the victim. The list must include the title of the position held by the advocate whose name is listed and a description of the duties of that position. An adult safe house shall file amendments to this list as necessary.
- Comply with rules adopted under this section.

DCF must inspect adult safe houses before certification, and annually thereafter, to ensure compliance with the requirements of this section.

DCF must ensure the staff of each adult safe house completes intensive training that, at a minimum, that includes the needs of victims of commercial sexual exploitation, the effects of trauma and sexual exploitation, and how to address victims' needs using strength-based and trauma-informed approaches. DCF is to specify by rule the contents of this training and may develop or contract for a standard curriculum.

The Department may deny, suspend, or revoke the certification of the adult safe house if it is determined that there is failure by an adult safe house to comply with the requirements established, or rules adopted, under this section.

The section provides the Department with rulemaking authority.

This change will require the Department to certify, monitor, and enforce regulations for adult safe houses and advocates who claim privilege under s. 90.5037, F.S.

Human Trafficking Public Awareness Signs

⁴⁹ DCF may exempt the safe home from having to provide 24 hour hotline, professional training, or community education if another safe home is already providing these services in its area.

Background

Section 787.29, F.S., requires the display of human trafficking public awareness signs as follows:

- in every rest area, turnpike service plaza, weigh station, primary airport, passenger rail station, and welcome center open to the public.
- emergency rooms at general acute care hospitals
- A strip club or other adult entertainment establishment.
- A business or establishment that offers massage or bodywork services for compensation that is not owned by a health care practitioner.

The public awareness signs must be at least 8.5 inches by 11 inches in size, must be printed in at least 16-point type, and must state substantially the following in English and Spanish:

If you or someone you know is being forced to engage in an activity and cannot leave-whether it is prostitution, housework, farm work, factory work, retail work, restaurant work, or any other activity-call the National Human Trafficking Resource Center at 1-888-373-7888 or text INFO or HELP to 233-733 to access help and services. Victims of human trafficking are protected under United States and Florida law.

The county commission may adopt an ordinance to enforce the posting of signs by strip clubs, adult entertainment establishments, and businesses or establishments offering massage or bodywork services. A violation is a noncriminal violation punishable by a fine not to exceed \$500.

The phone number 1-888-373-7888 is the National Human Trafficking Hotline (hotline). It is a national, toll-free hotline, available to answer calls, texts, emails, and live chats from anywhere in the United States, 24 hours a day, 7 days a week, in more than 200 languages. The hotline connects human trafficking victims and survivors to critical support and services to get help and stay safe, including the opportunity to speak with specially-trained advocates. The Trafficking Hotline has been operated since 2007 by Polaris, a non-profit, non-governmental organization. The U.S. Department of Health and Human Services and other private donors and supporters provide funding for the hotline.⁵⁰

Effect of Proposed Changes

The bill allows DCF to enforce requirements regarding the display of public awareness signs in strip clubs, adult entertainment establishments, or certain businesses or establishments that offer massage or bodywork services.

In conjunction with its development of educational programming on human trafficking under s. 409.16781, F.S., DCF must develop age-appropriate public awareness signs on that topic. DCF shall have the signs conspicuously displayed in each:

- emergency shelter,
- runaway shelter,
- group home,
- agency-operated group treatment home,
- nonpsychiatric residential group care facility,
- psychiatric residential treatment facility,
- safe house as defined in s. 409.1678(1), F.S., and
- other appropriate facilities that provide shelter and care for dependent children.

The signs shall warn youth of the dangers of human trafficking and to encourage the reporting of individuals observed attempting to engage in human trafficking activity. The signs must contain the

⁵⁰ Polaris, *The National Human Trafficking Hotline*, <https://polarisproject.org/national-human-trafficking-hotline/> (accessed March 16, 2023).

telephone number for either the National Human Trafficking Resource Center or such other number that the Department of Law Enforcement uses to detect and stop human trafficking.

Note that while DCF licenses and oversees most of these residential placements, DCF does not license psychiatric residential treatment facilities. DCF also does not regulate strip clubs or massage or bodywork establishments.

B. SECTION DIRECTORY:

Section 1: Amends s. 787.29, F.S., relating to human trafficking public awareness signs.

Section 2: Creates s. 402.88, F.S., relating to adult safe houses for adults who have been sexually exploited or trafficked.

Section 3: Amends s. 409.1678, F.S., relating to specialized residential options for children who are victims of commercial sexual exploitation.

Section 4: Creates s. 409.16781, F.S., relating to educating children in facilities regarding human trafficking; age-appropriate educational programming.

Section 5: Provides an effective date of July 1, 2023.

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

None.

2. Expenditures:

The bill requires DCF to certify adult safe houses. There are currently 13 adult safe houses throughout the state. It is unknown how many new adult safe houses will require certification. DCF projects a fiscal impact of \$370,145 recurring and \$404,275 nonrecurring for staff and technology.

Staff

An estimated 100 hours are required per safe house to complete pre-monitoring, travel, inspections, post site monitoring/follow up, and administrative actions. To fulfill the requirements of this section of the bill, DCF anticipates needing at least three regional certification specialists (FTEs) to certify, monitor, and enforce regulatory requirements.

Three certification specialists (Operations Review Specialist) = **\$301,420** (\$285,145 recurring / \$16,275 nonrecurring) . This includes base salary (\$50,192) and benefits (\$24,347) for each of the three certification specialists, plus travel, and other recurring and nonrecurring expenses.

Technology

DCF projects needing three consultants to develop the technology platform to support adult safe house certification and one FTE for ongoing maintenance and operation. The three consultants would require \$388,000 in nonrecurring funding and the one FTE would require \$75,000 in recurring funding.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

None.

2. Expenditures:

None.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

None.

D. FISCAL COMMENTS:

None.

III. COMMENTS

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

Not Applicable. This bill does not appear to affect county or municipal governments.

2. Other:

None.

B. RULE-MAKING AUTHORITY:

DCF lacks rule authority to enforce display of human trafficking awareness signs in strip clubs and massage and bodywork establishments.

Additionally, while DCF has some rule authority governing residential child-caring agencies, safe homes, and residential treatment centers, the new language requiring the display of signs developed by DCF by those agencies and centers, and the use of educational programming in safe houses and homes, are in sections where DCF does not have rule authority.

DCF would need rulemaking authority to carry out these responsibilities.

C. DRAFTING ISSUES OR OTHER COMMENTS:

None.

IV. AMENDMENTS/COMMITTEE SUBSTITUTE CHANGES